

OCT-11-05 TUE 10:42 AM

RECEIVED
CENTRAL FAX CENTER

FAX NO.

P. 01/04

OCT 11 2005

CERTIFICATE OF TRANSMISSION BY FACSIMILE (37 CFR 1.8)

Applicant(s): **Ballantine et al.**

Docket No.

END9-2000-0100US2

Application No.
10/753,241

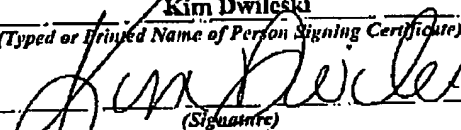
Filing Date
1/8/2004

Examiner
Tsai, H Jey

Group Art Unit
2812

Invention: **INCREASING AN ELECTRICAL RESISTANCE OF A RESISTOR BY OXIDATION OR NITRIDIZATION**

I hereby certify that this _____ Species Restriction (3 pages) _____
(Identify type of correspondence)
is being facsimile transmitted to the United States Patent and Trademark Office (Fax. No. 571-273-8300)
on 10/11/2005
(Date)

Kim Dwileski
(Typed or Printed Name of Person Signing Certificate)

(Signature)

Note: Each paper must have its own certificate of mailing.

F18/REV02

OCT 11 2005

DOCKET NO. END9-2000-0100US2

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Ballantine et al.

Examiner: Tsai, H Jey

Serial No.: 10/753,241

Art Unit: 2812

Filed: 1/8/2004

For: INCREASING AN ELECTRICAL RESISTANCE OF A RESISTOR BY OXIDATION
OR NITRIDIZATION

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

RESPONSE TO RESTRICTION WITH SPECIES ELECTION

This communication responds to the Restriction mailed September 14, 2005.

In response to the species restriction requirement, Applicants hereby provisionally elect the first species of forming a resistor by oxidation (oxygen), with traverse. It is respectfully submitted that the search and examination of the species of the entire application could be made without serious burden. Thus, Applicants respectfully submit that the search and the examination of the entire application could be made without serious burden. See MPEP § 803, in which it is stated that "if the search and examination of the entire application can be made without serious burden, the Examiner must examine it on the merits" (emphasis added). Applicants respectfully submit that this policy should apply in the present application in order to avoid unnecessary delay and expense to Applicants and duplicative examination by the Patent Office.

10/753,241

1

Claims 1, 4-5, 10-12, 16, 20, 23-24, 49-66, 47, and 67-69 read on the elected species.

Claims 47 and 67-69 are generic with respect to the elected species.